

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN  
MILWAUKEE DIVISION**

BARBARA O'BOYLE, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

COMENITY BANK,

Defendant.

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) Case No.: 16-cv-1401

) **NOTICE OF DISMISSAL**  
) **WITHOUT PREJUDICE**

) Hon. David E. Jones

THE PLAINTIFF, Barbara O'Boyle, by counsel, Ademi & O'Reilly LLP, hereby gives notice pursuant to Rule 41 of the Federal Rules of Civil Procedure that this action is dismissed without prejudice and without costs to either party. No class has been certified in this case, and therefore Rule 23(e) of the Federal Rules of Civil Procedure does not apply. Further, the Defendant, Comenity Bank, has not served an answer or motion for summary judgment, and therefore, dismissal does not require a court order, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

Dated this 21<sup>st</sup> day of December 2016.

By: s/ Mark A. Eldridge  
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